

## **REMARKS**

The Applicant has filed the present Response in reply to the outstanding Official Action of November 8, 2004, and the Applicant believes the Response to be fully responsive to the Official Action for reasons set forth below in greater detail.

In the outstanding Official Action, the Examiner rejected Claims 4 and 5 under 35 U.S.C. § 112, second paragraph asserting that the language of the claims are not clear. Specifically the phrase “a remaining period” in Claim 4 and “state” in Claim 5 is unclear. The claims have been amended accordingly to overcome the § 112 rejection. The phrase “a remaining period until a start time”, recited in claim 4, refers to the time of the reservation request. Meaning that there is a different rate depending on the timing of the start time to the reservation. The phrase refers to the remaining time period before the reservation starts.

With regard to Claim 5, the term “state” refers to a utilization level of the time slot. A high utilization level would result in a high cost for the time slot. The claim has been amended to recite, “said accounting fee is determined based upon a utilization level of a time period for said reservation”.

The Applicant would like to note that Claims 1-2, 10-11, and 19-20 have been amended. Specifically, Claim 1 has be amended to recite, inter alia, a contract unit for receiving an internet access request for a current time period from a user and judging whether the user reserved the current time period, by a prior reservation request, stored in the reservation table, wherein if it is judged that the Internet access request is not permitted, the contract unit automatically rerouted the user to an ISP LAN using an edge router such that a reservation request can be made by the user. Claim 2 has been amended to recite that, inter alia, the contract permits the reservation request when the number of users connecting to the internet at a same

time as the time period included in the reservation request is smaller than or equal to a predetermined value.

Claims 10-11 and 19-20 have been amended to correspond with the system claim. Claims 10-11 are method claims, and Claims 19-20 are directed to a contract server.

No new matter has been added by the aforementioned amendments. Support for the amendments can be found on page 25, lines 22- page 29, line 18 of the specification.

Claims 1-2, 10-11 and 19-20 are patentably distinct from the cited references. Malik fails to teach that the user is automatically routed to the ISP LAN when there is no reservation for the time slot in the reservation table. In stark contrast, the user in Malik is disconnected and the call is ended (step 550) when there is no reservation. See Col. 10, lines 50-52.

Malik (U.S. Patent 6,584,097) discloses a dial-up reservation service to the user via a TCP-IP interconnection, where the ISP maintains a server having access to a www interface providing subscriber access to the reservation system. Through this interface the subscriber can view a list of time slots available for reservation. The user can enter a reservation request. If the caller does not have a valid reservation slot, the system plays a rejection announcement to the caller and ends the call. If the caller has a valid reservation slot, the system allows a connection (a continuation message with a termination request). The SSP (Service Switching Points) terminates the call to the next available port in the MLHG (Multi-Line Hung Group). If the caller ends a session prior to an expiration of the time slot, the caller can reinitiate the session, as long as the time slot has not expired. Once the time slot has expired, the ISP ends the subscriber's session by forcing the modem to hang up the call. The reservation system can include a configuration that allows a user, who cancels their reservation within a certain time period, not to

be billed. For example, there is no penalty if the cancellation request is made more than two hours prior to the scheduled start time.

In another embodiment of the invention, the SCP (Service Central Point) initiates the call between the subscriber and the ISP as a security measure that allows only those calls initiated by the SCP to have access to the reservation telephone access lines. This prior art invention was intended for use by a plurality of ISPs, wherein there is one central reservation table for all the ISPs, however, at Col.9, the reference suggests that one ISP can use this method directly.

The present invention includes a reservation table having time slots listed. The user reserves a time slot and the user identification is listed in the reservation table. When the user inputs a reservation request indicating that the user wants access to the Internet, the contract server 150 investigates a reservation state of a time period containing a current time of the reservation table with the user ID as the key, to judge whether or not the user reserved the time period. If there is already a reservation by the user, the user is allowed access to the Internet. If there is no reservation, the contract server uses the network management server and specifies the ISP LAN as the routing destination of the communication data from the user to the edge router. The user can get access to the web server and use a reservation set service.

Additionally, after a lapse of the reservation time, the edge router stops routing to the Internet and switches the routing destination to the ISP LAN.

Accordingly, Malik fails to teach, or suggest each and every element of the claims as the reference fails to teach rerouting the user to an ISP LAN such that a user can make a reservation request. Therefore, the Applicant submits that Claims 1-2, 10-11, 19-20 are in patentable form. The Applicant further submits that Claims 8, 9, 17, and 18 are patentably

distinct from Malik for at least the same reasons as applied above to the independent claims.

Claims 8-9, 17-18 depend from Claims 1 and 10, respectively.

Yeh teaches a discount data storing unit and that the contract unit finds out a discountable time period with respect to an account fee for the service by reference to a reservation table and the discount data. Yeh suggests differential billing dependant on utilization rates.

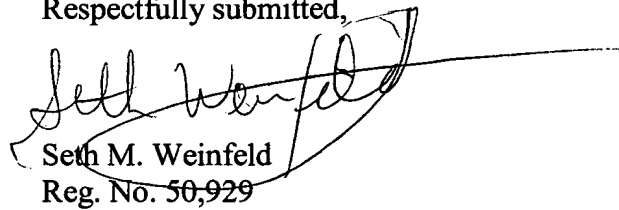
However, Yeh fails to remove the above-identified deficiency in the teaching of Malik, where the user in Malik is disconnected and the call is ended (step 550) when there is no reservation. In the hypothetically combine Malik-Yeh system, the user would still be disconnected when there is no reservation in contrast with being redirected to a separate reservation system in the claimed invention.

Therefore, Claims 3-7 and 12-16 would be patentably distinct from the cited references based upon their dependency from Claims 1 and 10, respectively.

For all of the foregoing reasons, the Applicant submits that all of the claims of the application are patentably distinct from the Malik and Yeh.

In conclusion, the Applicant believes that the above-identified application is in condition for allowance and henceforth respectfully solicits the Examiner to allow the application. If the Examiner believes a telephone conference might expedite the allowance of this application, the Applicant respectfully requests that the Examiner call the undersigned, Applicant's attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,



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